

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 1, 4, 5, 14-18 and 27-32 are pending in the application awaiting further consideration. All of these claims are directed to elected subject matter.

Counsel affirms the election of the claims of Group I, namely claims 1-5 and 14-18. Claims 6-13 and 19-26, currently withdrawn from consideration, have been canceled. This action being taken without prejudice to a divisional application directed to the subject matter of one or more of these claims.

The claims have been amended in order to more particularly point out and distinctly claim that which applicants regard as their invention. More specifically, the subject matter of claim 2, requiring that the cooperative member have substantially the same composition as the ceramic layer, has been incorporated in claim 1. The subject matter of claim 3 now appears as new independent claim 27 and the dependencies of claims 4 and 5 have been adjusted to depend from amended claim 1, claims 2 and 3 now being canceled.

Claim 14 is amended to define the ceramic layer as mainly made of an oxide having a $\text{Pb}(\text{Zr,Ti})\text{O}_3$ perovskite structure as disclosed in applicants' specification and in the last few lines of original claim 19 (not elected).

Claims 15-18 remain as originally filed. New claims 28 and 29 have been added based upon original claims 4 and 5 but dependent from new independent claim 27.

Similarly, new claim 30 has been added based upon a combination of revised claim 14 and original claims 15 and 16.

New dependent claims 31 and 32 have been added generally corresponding to claims 17 and 18 but dependent from new independent claim 30.

Basis for the amendments and new claims presented above has been described; no new matter is introduced. Favorable consideration of the new and amended claims is requested.

The Official Action raises two prior art-based rejections, the first directed to claims 1-5 in which it is argued that these claims are anticipated under 35 U.S.C. §102(b) by Nakatani JP 03-048415. This rejection is traversed. The applied reference does not teach what is now claimed, namely that the cooperative material is substantially the same composition as the ceramic layer. Nakatani merely mentions lead oxide which is part of the ceramic composition. Claims 1, 4, 5 and 27-29 are not anticipated nor are they rendered obvious.

Original claims 14-18 have been rejected under 35 U.S.C. §103(a) as being unpatentable/obvious over Hakotani et al JP 06-223621 in view of Nakatani (discussed above) or Hamada et al JP 03-208831. This rejection is also traversed.

As explained above, claim 14 has been amended to direct it to include the feature that the ceramic layer is mainly made from an oxide having a $\text{Pb}(\text{Zr},\text{Ti})\text{O}_3$ -type perovskite structure. The laminate of the type addressed in claim 14 features alternately laminating ceramic layers and electrode layers in which the electrode paste includes copper and copper oxide. The paste described in Nakatani et al is merely a glass binder containing copper oxide.

The Official Action does not address important evidence contained in applicants' specification, in particular balancing the amounts of copper oxide to be within a specified range as well as the amount of the cooperative material also being within a specified range. In particular, see original claims 3 and 16 as well as more specific claims 4, 5, 17 and 18 (and the corresponding newly added claims).

Compare this with the data contained in applicants' specification in particular the Table on page 17, the related figures in the drawings in illustrating acceptable and unacceptable products and the recognition explained on page 22 especially at lines 7-9 of the specification that the cooperative material and copper oxide contents must both be considered in order to achieve successful, desirable results.

SHINDO et al
Appl. No. 10/029,006
February 20, 2004

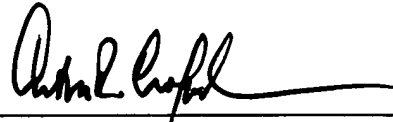
None of this is suggested in the documents applied in the outstanding Official Action. Accordingly applicants' claims are directed to patentable subject matter.

Reconsideration and allowance are solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Arthur R. Crawford
Reg. No. 25,327

ARC:eaw
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100